

## Cranberry Stressline's Reader Forum

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### THE CANADA-MAINE CONNECTION (OR "WHY THE CRANBERRY MARKETING ORDER STINKS")

Posted by USDA Observer on May 11, 2004, 5:25 pm

THE CANADA-MAINE CONNECTION  
or  
WHY THE CRANBERRY MARKET ORDER STINKS

Over the life of the Cranberry Marketing Committee, the following states have been included under the Cranberry Marketing Order regulations: Massachusetts, Wisconsin, New Jersey, Oregon, Washington, Rhode Island (2 growers), Minnesota (1 grower) and Long Island. Under the proposed amendments now before the growers, the CMC is attempting to expand the production area to include the states of Delaware (1 grower), New York (2 growers) and Maine (39 growers).

It has been announced in the recent Federal Register that all growers received about two weeks ago, that the USDA is rejecting the proposed amendment which is favored not only by the CMC but by the entire industry. Therefore, this amendment will not be included on the ballot growers will be receiving later this summer. Growers will not be given a chance to vote on production area expansion has they have in the past unless the USDA can be convinced to reverse their present position.

First, let me tell you exactly why the USDA decided as it did and then I will discuss their rationale for this action which is just a cover up for the truth.

The truth is that Maine growers succeeded in getting their two Republican US Senators to aggressively petition the Bush administration to give Maine growers an exemption from regulations by which all other US growers must abide.

Rather than antagonize two US Senators over a politically insignificant cranberry issue, the administration instructed the Secretary of Agriculture to reject the amendment that would expand the regulations you are under to certain growers who will continue to remain outside of the order.

The USDA had to apply a rationale to their decision, which, when fully examined, is nothing more than an insult to your integrity.

Basically the USDA said that Delaware, New York and Maine do not have enough growers and acreage to warrant inclusion to the CMO regulations. The USDA went on to say that these states do not contribute to the surplus problem that faces our industry. With the exception of Wisconsin, what state does contribute to the surplus?

Consider the USDA rationale when you compare some states presently under the order with the three states getting off the hook:

REGULATED: Rhode Island - 2 growers NOT REGULATED: New York - 2 growers  
REGULATED: Minnesota - 1 grower NOT REGULATED: Delaware - 1 grower

**REGULATED: Michigan – 7 growers NOT REGULATED: Maine – 39 growers**

Here is the worst part of it that should outrage all of us: Of the two properties in New York, one that grows several thousand barrels is owned by Atoka, the largest cranberry handler in Canada who exports most of their cranberries to the US. Atoka, who is exempt from the CMO because they are located in another country, have invested in a US cranberry property located in New York and now must be delighted to learn that they are also exempt from their US production. How nice.

Of the 39 growers in Maine, all but two are small growers who average around four acres. Of the two larger growers, one has about 25 acres and the other has 111 acres. These two growers have the following in common:

1. They are primarily blueberry grower-handlers and are expanding into cranberry production.
2. They are cranberry handlers who process the US cranberries they grow and contract, as well as thousands of barrels of cranberries they source and import from Canada which they process in Maine.
3. None of these berries are regulated by the CMC because Maine is outside of the production area and will remain so unless the USDA changes its position on the proposed amendment to which I am referring. Not likely.
4. These two blueberry companies have many growers under contract. Their blueberry growers collectively sued these handlers for price fixing at the expense of the growers. These handlers were found guilty with a judgment awarded to the growers of millions of dollars. The USDA chooses to reward such handlers by exempting them from our cranberry regulations.

Think that's bad? The 111 acre company is a Canadian-owned company.

A Canadian-owned company growing and buying berries in the US and importing berries from Canada, processing these berries in the US, convicted of cheating their US blueberry growers for millions, getting favorable treatment from the USDA denied to other US growers and handlers. What a country.

**HERE IS WHAT YOU CAN DO:**

You have until May 28 to send written comments to the USDA. If you choose, you could forward this letter along with your comments to emphasize your concern. You can forward by e-mail at <http://www.regulations.gov>.

Or by fax to: 202-720-9776.

Or by mail to: Hearing Clerk  
USDA  
Room 1081  
Washington, DC 20250-9776

It's a long shot, but with enough comments maybe the USDA will reverse its opinion and add Maine and the other states to the production area. This is a fairness issue. The USDA has no right to treat one US grower more favorably than another, nor should they have a right to give Canadian grower-handlers more of an advantage over the rest of us than they already have.